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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MORRIS BICKLEY and MICHAEL D.
 PATTON, RAYMOND GREWE, and DENNIS
 VANHORN individually and on behalf of all
 others similarly situated, and the general public

Plaintiffs,

v.

SCHNEIDER NATIONAL CARRIERS, INC.,
 a Nevada corporation, and DOES 1 to 10,
 inclusive,

Defendant.

Case No. 3:8-cv-05806-JSW

CLASS ACTION (FRCP 23)

**STIPULATION TO CONTINUE
 DATES**

JUDGE: HON. JEFFREY S. WHITE
 DEPT: 11

JURY TRIAL DEMANDED

Additional Plaintiffs' Counsel

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1 Plaintiffs MORRIS BICKLEY, MICHAEL D. PATTON, RAYMOND GREWE, and
 2 DENNIS VANHORN, individually, and on behalf of themselves, all others similarly situated, and
 3 the general public (collectively hereinafter “Plaintiffs”) and Defendants SCHNEIDER NATIONAL
 4 CARRIERS, INC., a Nevada corporation (hereinafter “Schneider”), hereby stipulate and agree as
 5 follows:

6 **WHEREAS**, on November 25, 2008, Plaintiff MORRIS BICKLEY, on behalf of himself
 7 and all others similarly situated, filed this class action lawsuit in the United States District Court for
 8 the Northern District of California;

9 **WHEREAS**, on February 11, 2009, Plaintiff MICHAEL D. PATTON, on behalf of himself
 10 and all others similarly situated, filed a class action lawsuit in the United States District Court for
 11 the Central District of California, *Patton v. Schneider National, Inc., et. al.*, Case No. CV 09-1010-
 12 MMM, which was premised on similar and, in many respects, identical issues;

13 **WHEREAS**, the parties stipulated to the transfer to the United States District Court for the
 14 Northern District of California of the *Patton* action and to agree to the consolidation of the *Patton*
 15 action with the *Bickley* action;

16 **WHEREAS**, on December 10, 2009, this Court signed a stipulated Order permitting
 17 Plaintiffs BICKLEY and PATTON to file a Consolidated First Amended Complaint, and pursuant
 18 to that Order, on January 12, 2010, Plaintiffs BICKLEY and PATTON (hereinafter, the
 19 “Intermodal/Dedicated Driver Plaintiffs”) filed their First Amended Consolidated Complaint;

20 **WHEREAS**, on January 21, 2010, the parties jointly moved to amend the scheduling order
 21 in light of the consolidation of the *Bickley* and *Patton* cases, and this Court granted the parties joint
 22 motion through an Order entered on January 25, 2010;

23 **WHEREAS**, on May 21, 2010, Plaintiffs GREWE and VANHORN (hereinafter, the
 24 “Regional Driver Plaintiffs”), on behalf of themselves and all others similarly situated, filed a class
 25 action lawsuit in the United States District Court for the Northern District of California, Case No.
 26 CV-10-2208-EDL, which was premised on some of the same or similar issues, as well as an
 27 Administrative Motion to Consider Whether the Cases Should be Related;

WHEREAS, on June 7, 2010, this Court issued an Order relating the *Bickley-Patton* consolidated action, Case No. CV 08-05806 JSW, to the *Grewe* action, Case No. CV 10-02208 EDL;

WHEREAS, on June 14, 2010, Schneider filed a Motion to Dismiss, Stay, or Consolidate the *Grewe* case;

WHEREAS, on July 20, 2010, this Court ordered that the *Bickley-Patton* consolidated action, Case No. CV 08-05806 JSW, be consolidated with the *Grewe* action, Case No. CV 10-02208 EDL for all purposes, and ordered that the parties meet and confer and submit a stipulation no later than September 3, 2010, regarding the pre-trial schedule and continuing deadlines;

WHEREAS, on August 20, 2010, plaintiffs filed their consolidated second amended complaint;

WHEREAS, on September 2, 2010, pursuant to the Court's July 20, 2010 Order and F.R.C.P. 26(f), the parties met and conferred regarding the pre-trial schedule, discovery, and continuing deadlines with respect to all putative class member claims (i.e., dedicated, intermodal, and regional drivers);

WHEREAS, pursuant to the Court's July 20, 2010 Order and F.R.C.P. 26(f), the parties seek an Order allowing them to continue certain deadlines, as well as add new deadlines, in light of the consolidation of the *Grewe* action with the *Bickley-Patton* action for all purposes.

NOW, THEREFORE, the parties through their respective counsel of record jointly stipulate to, propose, and request that the Court adopt the following schedule for the above-captioned consolidated action:

	CURRENT DUE DATE	NEW DUE DATE
Deadline for Schneider to produce Pay Plans for Intermodal/Dedicated Driver Putative Class Members.	no prior date set	09/30/2010
Initial Disclosures due re Regional Driver Plaintiffs.	no prior date set	09/30/2010

	CURRENT DUE DATE	NEW DUE DATE
Deadline to Produce Class List of Regional Driver Putative Class Members to Third Party Administrator for Distribution of <i>Belaire West</i> Notice. ¹	no prior date set	09/30/2010
Deadline for Schneider and Regional Driver Plaintiffs to agree on form and content of <i>Belaire West</i> notice.	no prior date set	09/30/2010
Case Management Conference re status of discovery	no prior date set	At the Court's convenience but parties request not later than 3/31/2011
Discovery Cut-Off Class Certification	no prior date set	05/02/2011
Last Day to Hear Motion to Amend Pleadings	07/09/2010; 9:00 a.m.	05/02/2011 5/6/2011 at 9:00 a.m.
Mediation Completion Date	08/01/2010 with private mediator selected by parties	05/21/2011 with private mediator selected by parties
Last Day for Plaintiffs or Schneider to file Motions re Class Certification	07/09/2010; 9:00 a.m.	06/04/2011
Opposition Briefs Due re Motions for Class Certification	no prior date set	7/1/2011
Reply Briefs Due re Motions for Class Certification	no prior date set	7/22/2011
Last Day to Hear Class Certification Motions	09/17/2010; 9:00 a.m.	To be determined by Court 8/12/2011 at 9:00 a.m.
Close of Non-Expert Discovery	01/10/2011	11/23/2011

¹The Regional Driver Plaintiffs have agreed to issue discovery requests as soon as possible to which such a list would be responsive.

	CURRENT DUE DATE	NEW DUE DATE
Last Day for Expert Disclosure and Initial Reports	01/20/2011	12/23/2011
Last Day for Rebuttal Expert Reports	no prior date set	1/13/2012
Last Day for Expert Discovery	02/04/2011	2/3/2012
Last Day to Hear Dispositive Motions	03/04/2011; 9:00 a.m.	5/4/2012
Pretrial Conference	05/16/2011; 2:00 p.m.	6/4/2012 7/16/2012 at 2:00 p.m.
Trial	06/06/2011; 8:00 a.m. (20-30 day estimate)	6/11/2012 (20-30 day estimate) 8/6/2012 at 8:00 a.m.

DATED: September 3, 2010

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By: /s/ Christina A. Humphrey

Christina A. Humphrey

MARLIN & SALTZMAN

Attorneys for Plaintiffs

DATED: September 3, 2010

**OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.**

By: /s/ Christopher Ahearn

Christopher Ahearn

Attorneys for Defendants

I hereby certify that on September 3, 2010, I filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List. I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

LEE M. GORDON

~~Dated: September 8, 2010~~

